

County of San Luis Obispo Agricultural Liaison Advisory Board



Agricultural Liaison
Advisory Board (ALAB)

2156 Sierra Way, Suite A
San Luis Obispo, CA 93401 (805) 781-5914

Positions/Members/Terms

CHAIR: R. Don Warden

District One: Mecham Appt.
Dee Lacey, (1/13)

District Two: Gibson Appt.
Lisen Bonnier (1/11)

District Three: Hill Appt.
Tom Ikeda (1/13)

District Four: Achadjian Appt.
Bill Struble (1/11)

District 5: Patterson Appt.
Christine Maguire (1/09)

Agriculture Finance Rep.
Mark Pearce (8/10)

Cattlemen Rep.
Dick Nock

Coastal San Luis RCD Rep.
Jean-Pierre Wolff (8/11)

Direct Marketing/Organic Rep.
Eric Michielssen (4/12)

Environmental Rep.
Anne McMahon (5/11)

Farm Bureau Rep.
R. Don Warden

Nursery Rep.
David Pruitt (4/12)

Upper Salinas-Las Tablas RCD Rep.
Charles Pritchard (1/10)

Vegetable Rep.
Richard Quandt (4/12)

Wine Grape Rep.
Neil Roberts (4/12)

County Agricultural Commissioner
Bob Lilley, *Ex-Officio*

U.C. Coop. Extension / Farm Advisor
Mary Bianchi, *Ex-Officio*

MEETING MINUTES

Monday, May 4, 2009

Guests Present: Bill Robeson, David Broadwater

Absent Members: Mark Pearce, Mary Bianchi, Chuck Pritchard,
Christine Maguire, David Pruitt

1. Call to Order: 6:05 PM. Quorum Present

2. Open comment: David Broadwater provided local composted sewage sludge information and indicated the Board of Supervisors (BOS) decided to extend the Interim Moratorium ordinance on land application of sewage sludge for four years. David indicated that the Conservation and Open Space Element will include a policy that precludes sewage sludge on open space land. He also indicated that his group would oppose any ordinance that doesn't have specific procedures for informing public and addressing liability associated with land application of sewage sludge.

3. Member/agency reports

- Lisen Bonnier provided an update of Planning Commission (PC) hearing on the Los Osos sewer project. She indicated there was opposition to the conversion of over 400 acres of ag land for an effluent disposal sprayfield. Other ALAB members discussed various sewer issues including Jean-Pierre Wolff who shared Coastal RCD's role in recommending tertiary treatment for effluent to protect crops in the surrounding area.
- Anne McMahon shared that the April 24th Sonoma Ag Preservation and Open Space District meeting went well. There appears to be genuine interest in pursuing a district. The next step in the process is yet to be determined. Anne indicated she will keep ALAB members informed.
- Bob Lilley indicated that the county was surveying different advisory committees to assess cost. The cost for ALAB is \$2,500 a month.
- Lynda Auchinachie indicated the Agriculture Department has started the Drought Disaster Survey process for rangeland. She also indicated that the Green House Gas Inventory will be discussed at the Board of Supervisor's May 19, 2009 hearing.

4. Minutes: April 6, 2009, *Motion* – Tom Ikeda. 2nd – Anne McMahon. *Approved: Unanimous.* Jean-Pierre Wolff abstained.

5. Requests to provide ALAB members information or updates on issues on or off agenda.

- ALAB members discussed preferred method to receive information from a third party or outside advocate.
- *Motion* by Eric Michielssen to receive information by inviting interested party to scheduled meeting and have them present information during public comment if item is not on the agenda. If the item is on the agenda and the interested party has relevant information, the information should be submitted for distribution to members - prior to the meeting if possible. 2nd – Anne McMahon. *Approved: Unanimous*

6. AGP 16: Agricultural Land Conservation Programs policy review status report.

- Bob Lilley provided an overview of policy review and implementation process. He indicated the web site http://www.slocounty.ca.gov/agcomm/Land_Use/Agricultural_Land_Conservation_Programs.htm is now available to provide interested parties with relevant information. ALAB members discussed and approved of final product.
- *Motion* by Anne McMahon indicating AGP 16 has been adequately reviewed and documented. 2nd - Dee Lacey. *Approved: Unanimous*

7. Review Amendments to modify policies and ordinance language in the Ag and Open Space Element & Land Use Ordinance relating to Agricultural Cluster Subdivisions (policies AGP 5, 20, 21, 22, 23) – Bill Robeson Planning Department:

- Don Warden once again turned over the role of chairman responsibilities to Bill Struble because he has an agricultural cluster project in the county system. Don asked the group what their comfort level was for him to participate in discussions. Some concerns were raised over specific discussions about Don's personal project as specific projects are not discussed by this group. Joy Fitzhugh was recognized as the Farm Bureau voting member.
- Bill Robeson indicated that the Planning Department will be going back to BOS for an update of the agricultural cluster subdivision amendment process and to provide a summary of survey information. The hearing date will be June 9, 2009.
- Anne McMahon provided a user friendly handout to help guide discussions. The handout included possible goals for future agricultural cluster subdivisions and a listing of specific issues the BOS directed staff to address with possible ALAB recommendations to address such issues.
- Bill Struble indicated Don Warden could share his insights regarding agricultural cluster subdivisions.
- Bill Robeson also provided a list of agricultural cluster subdivision goals for discussion purposes. He indicated that identifying goals is necessary to revise ordinance. Bill discussed how the current system works and provided a basic example of current density calculations.
- At the April, 2009 meeting, ALAB members requested options for calculating residential density. Bill provided options for the group to consider:
 - 1) The maximum number of residential parcels would equal the number of parcels that could be created through a conventional subdivision – (No Density Bonus),
 - 2) The maximum number of residential parcels would equal the number of underlying developable parcels – minus 1 for the ag parcel. This option would not use existing subdivision standards, and

3) The maximum number of residential parcels would be based on distance from existing URL – 100% density bonus potential within .5 miles, 50% density bonus potential within .5-1 mile, 0% density bonus for project sites 1-3 miles and no cluster development over 3 miles.

All residential development would be required on no more than 5% of the project site.

- Group discusses pro and cons of density bonus.
- Dee Lacey indicated she would not be surprised if there was support by current BOS members to eliminate all agricultural cluster subdivisions if the program is not revised to meet the stated goals. She indicated that providing an adequate financial return is not one of the stated goals and that recommendation to fix the identified problems, including the allowed density, was necessary to ensure keeping the cluster tool available.
- Joy Fitzhugh indicated she thought the current density potential was an important incentive that could lead to the preservation of considerable farmland. She indicated that the 100% density bonus is not guaranteed and that it was only a potential increase in density.
- Jean-Pierre Wolff indicated that all developments have the same risks and may be considered cost prohibitive. He indicated that there is considerable suspicion about the cluster program because of all the abuses and this has put a dark shadow on those who want to keep farmland within the family.
- Bill Struble indicated his support for the 95% of farmland that should be preserved with the cluster subdivision. He recommends that the misapplication of this requirement should stop.
- Richard Quandt supported exchanging underlying lots. He raised concerns over speculation associated with presumptive cluster development. Richard indicated that a cap on the maximum number of residential homes may be appropriate. He also indicated that the findings should be strengthened and that it is critical to apply buffer policies to protect onsite and adjacent agricultural operations consistent with adopted policy. Richard indicated it was important to save the program because it is an option and options are needed.
- The benefits of the agriculture/open space easement that are required with a cluster subdivision were discussed.
- Lisen Bonnier thinks the agriculture cluster subdivision concept is a really good way to protect agricultural land. She indicated the problems stem from reading between the lines and finding loopholes. She also suggested that the presumption of subdivision is speculative and recommends cluster only underlying lots. If there is a density bonus, cede to a TDC or mitigation bank. Currently, there is not a good balance between development and protecting land using the agricultural cluster subdivision tool and wants to find a better way.
- Eric Michielssen suggests an incentive is necessary. The discussion of incentives and the presumption of subdivision continued.
- Bob Lilley suggested reviewing design issues and buffers. Group discusses parcel layout.
- **Motion** by Dee Lacey to recommend that all residential cluster parcels shall be contiguous unless not feasible due to site or agricultural constraints. 2nd – Dick Nock. **Approved: Anne McMahon – No.**
- **Motion** by Tom Ikeda to recommend that where site constraints preclude contiguous development, a maximum of two cluster pods be allowed. 2nd – Joy Fitzhugh. **Approved: Dick Nock and Neil Roberts – No.**
- Bob Lilley discusses improving language relative to 5% area that is allowed for residential development. Members agree that the “donut hole” calculation is inappropriate and does not result in the preservation of 95% of the farmland. Specific language was not identified to address concern. However, there was an understanding that no more than 5% of the project

site should be precluded from agricultural production due to the location of the residential development.

- Other design components were discussed. Dee Lacey suggested rewards for being close to road.
- Bob Lilley discussed buffers and indicated that the buffer policy should apply equally to cluster projects (ie. buffer on residential parcel). He acknowledged that this has not been the case and that specific language requiring the buffer on a cluster residential parcel was necessary.
- **Motion** by Anne McMahon to recommend that buffers shall be on the residential parcel and included in the 5% area that is allowed for residential development. 2nd - Lisen Bonnier.
Approved: Unanimous.
- Dick Nock recommends eliminating density bonus completely because of associated issues.
- Don Warden suggests there are different sizes of properties and different rewards are necessary. He indicates that if there is no or very little bonus the cluster will not happen.
- **Motion** by Dee Lacey requesting staff returns with options requiring a maximum cap on the number of residential cluster parcels and density bonus potential. 2nd – Lisen Bonnier.
Approved: Unanimous.

8. Future agenda items

- Agricultural cluster subdivision changes per Board of Supervisors direction continued to June 1, 2009.

Agricultural cluster subdivision motions approved to date:

- a. Opposes proposal to reduce number of primary residential dwellings on existing parcels.
- b. Recommends major revisions to the ag density bonus to meet original intent.
- c. Require project sites to demonstrate that there is a history of active farming that meets subdivision requirements, adequate water supply, roads and water infrastructure counted as 5% of development area.
- d. All residential cluster parcels shall be contiguous unless not feasible due to site or agricultural constraints.
- e. Where site constraints preclude contiguous development, a maximum of two cluster pods be allowed.
- f. Buffers shall be on the residential parcel and included in the 5% area that is allowed for residential development.
- g. Options requiring a maximum cap on the number of residential cluster parcels and density bonus potential.

Issues to be discussed at future ALAB meeting include, but are not limited to:

- Protection of water supplies for agriculture.
- Require properties to be located closer to urban areas
- Subdivision of the ag parcel
- Continuation of 5% and density discussion
- Other questionnaire issues

Meeting adjourned: 8.40 PM